

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Texas

United States of America)
v.)
CARLOS OMAR ZELAYA-ROMERO)
AKA: OMAR CALOS ZELAYA-ROMERO,)
CARLOS ROMERO, CARLOS CELAYA)
A 073 129 652)

Defendant(s)

Case No. SA-11-922M

Filed 10-25-11
Clerk, U. S. District Court
Western District of Texas

By [Signature]
Deputy

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 10/24/2011 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

Code Section

8 U.S.C. 1326 (B)(1)

Offense Description

Being an alien, was found in the United States having been denied admission, excluded, deported, and removed therefrom on or about 07/27/2010 and that the defendant had not received the consent of the Attorney General of the United States or his successor, The Secretary for Homeland Security (Title 6, United States Code, Sections 202 (3), (4), and 557) to reapply for admission to the United States, being voluntarily in the United States unlawfully,

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

[Signature]
Complainant's signature

Kristen L. Pfirrmann-Parker, ICE HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/25/2011

[Signature]
Judge's signature

City and state: San Antonio, Texas

Pamela Mathy, United States Magistrate Judge
Printed name and title

Penalties: 10 years, \$250,000 Fine, 3 years Supervised Release, \$100 Special Assessment

AFFIDAVIT

Being duly sworn, I declare that the following is true and correct to the best of my knowledge.

My name is Kristen L. Pfirrmann-Parker and I am a Special Agent with Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) and I have been so employed for approximately ten and a half years. I am authorized by the United States Department of Homeland Security to enforce the Immigration Laws and Regulations of the United States or any other Laws or Regulations designated by the Attorney General or his successor, the Secretary of the Department of Homeland Security.

On October 23, 2011, HSI Special Agents (S/A) received information from a Cooperating Source that Mr. Carlos Omar ZELAYA-Romero was present in the United States illegally having previously been deported. Records Checks of DHS indices were conducted and a Criminal History check of ZELAYA-Romero revealed that Mr. ZELAYA-Romero had been convicted of possession of a controlled substance and was previously deported by ICE for Immigration violations.

A review of the Immigration Service database indicated that Mr. ZELAYA-Romero, alien number A073 129 652, is a citizen and National of Honduras who had been formally deported/removed from the United States to Honduras on or about July 27, 2010 through San Antonio, Texas by way of the Justice Prisoner and Alien Transportation System (JPATS).

Mr. ZELAYA-Romero's previous deportation was a result of his Immigration status and criminal convictions to include possession of controlled substance cocaine, trespassing, resisting arrest and felony Battery Result from Bodily Injury Domestic Violence.

On October 24, 2011, HSI Special Agents assisted by Bexar County Sheriff's Deputies located and subsequently arrested Mr. ZELAYA-Romero outside his residence of 430 Aaron Street, San Antonio, Texas. Mr. ZELAYA-Romero admitted to illegally re-entering the United States on or about December 15, 2010 from Mexico by wading the river at/or near Laredo, Texas.

Mr. ZELAYA-Romero has not been granted permission to reapply for admission from the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security after deportation/removal. On October 24, 2011, the defendant was advised of his Miranda Rights and consular notification and elected to contact the Honduran consulate.



Kristen L. Pfirrmann-Parker
Special Agent

Immigration and Customs Enforcement

Subscribed and sworn before me the 25th day of October 2011.



Honorable Pamela Mathy
United States Magistrate